



GEOFFREY E. SNYDER  
COMMISSIONER

*The Commonwealth of Massachusetts*  
*Department of Revenue*  
*Underground Storage Tank Program*

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**AGENDA**

**UNDERGROUND STORAGE TANK PETROLEUM CLEANUP FUND**  
**ADMINISTRATIVE REVIEW BOARD MEETING**  
**FEBRUARY 23, 2023 10:00 AM**  
**VIA VIDEO CONFERENCE CALL**

*On July 16, 2022, Governor Baker signed into law a new session law that extends certain COVID-19 related measures. The new law includes an extension until March 31, 2023, of the remote meeting provisions of the Governor's March 12, 2020, Executive Order Suspending Certain Provisions of the Open Meeting Law.*

- 1) Call to Order
- 2) Roll Call (for non-video Board members present)
- 3) Meeting Procedures
- 4) Approval of the January 26, 2023 UST Board meeting minutes
- 5) Approval of Eligibilities, Claims, Reconsiderations, Conferences, and Offsets
- 6) Pre-Conference Determinations:
  - a) Facility 17964, Application for Eligibility RTN 2-0021405, Getty, \$2,120.00. Charges were originally denied as the Application was submitted more than 365 days after the Release was reported to MassDEP. The Consultant has provided the following statement: *"Antea Group filed the eligibility application late due to the project managers being changed for the site. The new project manager had limited MA reimbursement experience and failed to recognize the need to apply for eligibility for each new RTN, rather than for the release. There are multiple eligible RTNs for various reportable conditions that were identified during the years long investigation and remediation of the release. RTN 2-21405 is also for a reportable condition associated with the same release."*
  - b) Eligibility 2914, Submittal 17, Getty, \$35,805.09. Charges were originally denied as the Application for Eligibility for RTN 2-0021405 had been denied. As the eligibility denial due to timeliness has been rescinded and RTN 2-0021405 has been linked to the original RTN, the Consultant has requested that the charges be adjusted.
  - c) Eligibility 9012, Submittal 14, Cambridge Street Trust, \$678.50. Charges were originally denied as the claim was submitted more than 365 days after the services were incurred. The Consultant has provided the following statement: *"The claim submittal was prepared on 12/21/22 and sent to the certifier prior to deadline date of 12/27/22, however, the claimant did not get a chance to properly submit the claim prior to the deadline date. Cambridge St Trust is respectfully requesting that these charges be allowed as timely. The claim was only 3 days past the deadline due date."*

- d) Eligibility 2107, Submittal 46, Speedway, \$1,559.57. Charges were originally denied as the claim was submitted more than 365 days after the services were incurred. The Consultant has provided the following statement: *“The claim was submitted late due to a transition in EnviroTrac’s staff which led to the late submission of these invoices to the claim preparer. EnviroTrac never forwarded the invoices to the claim preparer. When staff noticed that the invoices weren’t submitted to claim preparer, they immediately sent to them for claim preparation. The claim preparer quickly completed claim and submitted to the DOR on 12/08/22 for review and processing. This claim was a couple of months late. Speedway respectfully requests that all costs be considered timely and not be penalized for consultant’s staffing issue.”*

7) Budget Status

8) New Business

- a) Discussion of Board meeting schedule:
- i) Remote meeting authorization expires 3/31/2023. Wait and see about in-person or start planning ahead for a venue?
  - ii) Should the Board consider bi-monthly meetings due to reduced claim load?
- b) Discussion of delaying COC revocation for failing to meet MassDEP sump testing deadline
- c) Discussion of delegating authority to waive the claim filing deadline to UST Staff

9) Upcoming UST Meetings:

- UST Administrative Review Board Meeting: March 30, 2023